

116TH CONGRESS
2D SESSION

H. R. 7048

To establish requirements for skilled nursing facilities, nursing facilities, and assisted living facilities to manage the outbreak of COVID–19, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 28, 2020

Mr. GOTTHEIMER (for himself, Mr. SMITH of New Jersey, and Mr. PAYNE) introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To establish requirements for skilled nursing facilities, nursing facilities, and assisted living facilities to manage the outbreak of COVID–19, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-
2 tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Nursing Home Pan-
5 demic Protection Act”.

1 **SEC. 2. REQUIREMENTS FOR SKILLED NURSING FACILI-**
2 **TIES, NURSING FACILITIES, AND ASSISTED**
3 **LIVING FACILITIES TO MANAGE THE OUT-**
4 **BREAK OF COVID-19.**

5 (a) CODIFICATION OF MEMORANDUM RELATING TO
6 NOTIFICATION REQUIREMENTS OF CASES OF COVID-19
7 THAT ARE CONFIRMED OR UNDER INVESTIGATION IN
8 NURSING HOMES.—The memorandum entitled “Upcom-
9 ing Requirements for Notification of Confirmed COVID-
10 19 (or COVID-19 Persons under Investigation) Among
11 Residents and Staff in Nursing Homes” published by the
12 Centers for Medicare & Medicaid Services on April 19,
13 2020, shall have the force and effect of law.

14 (b) CRISIS PLAN FOR SUCH FACILITIES.—The Sec-
15 retary of Health and Human Services shall ensure that
16 skilled nursing facilities, nursing facilities, and assisted
17 living facilities establish, not later than 60 days after the
18 date of the enactment of this Act, establish a crisis plan
19 to manage the outbreak of COVID-19 and other public
20 health emergencies within such facilities. Such plan shall
21 outline procedures relating to infection control, staffing,
22 personal protective equipment, outside medical providers
23 and hospitalizations, and communication with family
24 members.

25 (c) PPE REQUIREMENTS FOR SUCH FACILITIES.—

16 (d) DEFINITIONS.—In this Act:

17 (1) NURSING FACILITY.—The term “nursing
18 facility” has the meaning given such term in section
19 1919(a) of the Social Security Act (42 U.S.C.
20 1396r(a)).

